

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION

FILED IN OPEN COURT:

DATE: 12.12.2019

TIME: 2:16pm

INITIALS: ruj.

UNITED STATES OF AMERICA,

Plaintiff,

vs.

RAJESH SUBRAMANYA,

Defendant.

Criminal No. 19-20317 (complaint)

PLEA AGREEMENT

Pursuant to Rule 11 of the Federal Rules of Criminal Procedure, the attorney for the United States, the attorney for RAJESH SUBRAMANYA and RAJESH SUBRAMANYA have reached an agreement that contemplates the entry of a plea of guilty by RAJESH SUBRAMANYA in this case. The full and complete plea agreement is as follows:

1. RAJESH SUBRAMANYA agrees that he will enter a voluntary plea of guilty to the misdemeanor offense of Simple Assault as set forth in complaint 19-20317, charging a violation of 18 U.S.C. § 113(a)(5) and 49 U.S.C. § 46506(1).
2. RAJESH SUBRAMANYA agrees that he is pleading guilty because he is in fact guilty of the offense(s) referenced above.
3. RAJESH SUBRAMANYA acknowledges that he has been advised and does fully understand the following:
 - a. The nature of the charge to which the plea is offered and the maximum possible penalty provided by law;
 - b. That he has the right to a bench trial, and at that trial he has the right to confront and cross-examine witnesses against him, and the right

not to be compelled to incriminate himself; and,

- c. That if he pleads guilty, there will not be a trial of any kind, so that by pleading guilty, he waives the right to a trial.
4. The United States agrees to recommend a fine of \$3000 and one year of probation. Any attempt by the defendant to withdraw his plea of guilty, or if the defendant commits any new criminal conduct, will be considered a breach of this plea agreement, and upon such breach the United States will be relieved of all obligations and restrictions imposed by the terms of this agreement.
5. The defendant understands that 18 U.S.C. § 3742 gives him the right to appeal the sentence imposed by the Court. Acknowledging this, the defendant knowingly and voluntarily waives his right to appeal any sentence imposed by the Court and the manner in which the sentence is determined so long as the sentence does not exceed the statutory maximum. Further, the defendant waives and gives up the right to challenge any conviction or sentence imposed or the manner in which the sentence was determined in any collateral attack, including, but not limited to, a motion brought under 28 U.S.C. § 2255. These waivers are made in exchange for the concessions made by the United States in this plea agreement. Such waivers do not apply, however, to claims of prosecutorial misconduct or ineffective assistance of counsel.
6. RAJESH SUBRAMANYA agrees that this plea agreement constitutes the entire agreement between him and the United States and that no threats or promises have been made to induce him to plead guilty.
7. RAJESH SUBRAMANYA agrees to pay a mandatory \$10.00 special assessment for each count to which he is pleading guilty.
8. The defendant recognizes that by pleading guilty he may have consequences with respect to his immigration status if he is not a citizen of the United States. Possible removal actions and other immigration consequences are the subject of a separate administrative immigration proceeding, however, and the defendant understands that no one, including his attorney or this Court, can predict to a certainty the effect of his conviction on his immigration status. The defendant affirms that he has discussed the immigration consequences of his guilty plea with his defense attorney. Moreover, the defendant also affirms that he wants to plead guilty regardless of any immigration consequences that this guilty plea will entail, even if the consequences include removal from the United States.

9. RAJESH SUBRAMANYA has discussed the terms of the foregoing plea agreement with his attorney and is satisfied with his attorney and his advice and counsel. Being aware of all the possible consequences of his plea, RAJESH SUBRAMANYA has independently decided to enter his plea of guilty of his own free will, and affirms this agreement on the date and by his signature below.

FOR THE UNITED STATES

D. MICHAEL DUNAVANT
United States Attorney
Western District of Tennessee



STEPHEN P. HALL
Assistant United States Attorney
800 Federal Building, 167 North Main
Memphis, TN 38103

12/12/19
Date



MARK MCDANIEL
Attorney for RAJESH SUBRAMANYA

12-12-2019
Date



RAJESH SUBRAMANYA
Defendant

12-12-2019
Date